

Message Text

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43

ACTION EUR-25

INFO OCT-01 ISO-00 NEA-14 EURE-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SP-03 SS-20 IO-14 ACDA-19 SAM-01

DRC-01 SCCT-02 FEAE-00 EB-11 COME-00 TRSE-00 INT-08

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FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 3634

INFO SECDEF WASHDC IMMEDIATE

AMEMBASSY ANKARA IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY NICOSIA IMMEDIATE

AMCONSUL THESSALONIKI IMMEDIATE

USMISSION NATO IMMEDIATE

USMISSION NATO IMMEDIATE

USUN NEW YORK IMMEDIATE 1048

CINCUSAFE IMMEDIATE

USDOCOSOUTH IMMEDIATE

USCINCEUR IMMEDIATE

USNMR SHAPE IMMEDIATE

CINCUSAREUR IMMEDIATE

C O N F I D E N T I A L ATHENS 3393

E.O. 11652: GDS

TAGS: PBOR, PFOR, TU, GR

SUBJECT: GREEK-TURKISH AEGEAN DISPUTE: CURRENT GOG VIEWPOINT

1. IN CONVERSATION WITH EMBOFF JUNE 4, PROFESSOR GEORGE ZOTIADIS, WHO SERVES AS CHAIRMAN OF GOVERNMENT INTERMINISTERIAL COMMITTEE ON LAW OF THE SEA, STATED THAT HE HAS JUST COMPLETED DRAFT OF PROTEST NOTE TO GOT ON DISPATCH OF GOT HYDROGRAHPIC VESSEL "CANDARLI" INTO THE AEGEAN SEA. ZOTIADIS SAID TOP OFFICIALS OF
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GOG CURRENTLY REVIEWING NOTE WHICH HOPEFULLY CAN BE SENT SHORTLY.

HE CATEGORIZED CURRENT CONTROVERSY BETWEEN GOT AND GOG AS "MATTER OF GRAVE CONCERN" TO BOTH GREEK ARMY AND COUNCIL OF MINISTERS SINCE IT IMPINGES ON QUESTION OF GREEK SOVEREIGNTY AND "UNDIVIDED NATIONAL INTEGRITY". HE STATED THAT ALL OF GREECE'S ALLIES MUST UNDERSTAND THAT GOG "WILL DO WHATEVER IT MUST DO" TO PROTECT ITS INTERESTS IN CURRENT SITUATION.

2. TO EMBOFF'S QUESTION REGARDING BASIS FOR PROTEST, ZOTIADIS RESPONDED THAT IT WAS BASED ON COMBINATION OF ACTUAL VOYAGE OF "CANDARLI" TO AEGEAN AREA AND PRIOR ANNOUNCEMENT BY GOT MINISTER OF ENERGY AND NATURAL RESOURCES KAYRA THAT VOYAGE CONSTITUTED FIRST STEP IN GOT OIL EXPLORATION PROGRAM. ZOTIADIS INDICATED THAT SUBSEQUENT STATEMENTS BY OTHER TURKISH OFFICIALS PRESUMABLY STATEMENTS BY PM ECEVIT AND DEFENSE MINISTER ISIK ON MAY 30) SEEMED TO CONFIRM OIL EXPLORATION MISSION OF VESSEL, AND THUS SERVED AS ADDITIONAL BASE FOR PROTEST. ZOTIADIS ARGUED THAT GOG STATEMENTS AND VOYAGE OF "CANDARLI" CONSTITUTED VIOLATION ARTICLE 2 PARAS 1 AND 2 OF 1958 CONVENTION CONTINENTAL SHELF. HE STATED THAT EVEN THOUGH TURKEY NOT SIGNATORY TO THAT CONVENTION, NEVERTHELESS ITS FIRST THREE ARTICLES CODIFIED PRE-EXISTING INTERNATIONAL LAW. TO EMBOFF QUESTION, ZOTIADIS STATED THAT TO BEST HIS KNOWLEDGE, "CANDARLI" HAD NOT YET TRANSITED AREAS WEST OF ISLANDS LESBOS AND/OR CHIOS BUT THAT GOG WAS WATCHING THE SHIP'S MOVEMENT MOST CAREFULLY. HE CHARACTERIZED CURRENT RELATIONS BETWEEN GOT AND GOG AS "STRAINED".

3. ZOTIADIS REFERRED TO RECENT MEETING BETWEEN AMBASSADOR TASCA AND MFA SECRETARY GENERAL VLACHOS (ATHENS 3296) IN WHICH LATTER PRESENTED NOTE PROTESTING ALLEGED COOPERATION US COMPANY WITH TURKS IN SEISMIC TESTING. ZOTIADIS DECLARED THAT NOTE BASED IN LARGE PART ON HIS OWN RESEARCH AND REVIEW OF US LAW AND PRACTICE ON MATTER OF RESPONSIBILITY OF SOVEREIGN STATE FOR ACTIONS OF PRIVATE ORGANIZATIONS. HE CLAIMS PRESENT STATE OF LAW IN US IS THAT A NATION, WHILE NOT LEGALLY RESPONSIBLE FOR ACTIVITIES OF ITS NON-GOVERNMENTAL, PRIVATE ORGANS, ASSOCIATIONS OR COMPANIES, NEVERTHELESS HAS A "DUTY" TO PREVENT ANY SUCH BODY FROM CARRYING OUT ACTIVITIES OR COMMITTING ACTS WHICH HAVE THE EFFECT OF INFRINGING ON OR VIOLATING RIGHTS OF ANOTHER SOVEREIGN STATE. EMBASSY WOULD APPRECIATE COMMENTS FROM LEGAL ADVISOR ON THIS POINT.

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4. WHEN EMBOFF ALLUDED TO ITEM IN ENGLISH-LANGUAGE ATHENS NEWS MAY 28 WHICH ALLEGEDLY QUOTED MFA SPOKESMAN AS SAYING "GREECE NOT OPPOSED TO OCEANOGRAPHIC EXPLORATION AND TESTS BUT WE ARE ONLY AGAINST OIL DRILLINGS IN THE AEGEAN", ZOTIADIS STATED FLATLY THAT GOG MAKES NO SUCH DISTINCTION AND THAT UNDER TERMS BOTH ARTICLES 2 AND 5 GENEVA CONVENTION ANY EXPLORATION, EXPLOITATION OR RESEARCH ACTIVITIES CARRIED OUT IN GREEK

CONTINENTAL SHELF AREA BY ANOTHER STATE REQUIRE PRIOR PERMISSION
BY GREECE.
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